



MIAMI BEACH

City Commission Meeting SUPPLEMENTAL MATERIAL

**City Hall, Commission Chambers, 3rd Floor, 1700 Convention Center Drive
May 10, 2006**

Mayor David Dermer
Vice-Mayor Saul Gross
Commissioner Matti Herrera Bower
Commissioner Simon Cruz
Commissioner Luis R. Garcia, Jr.
Commissioner Jerry Libbin
Commissioner Richard L. Steinberg

City Manager Jorge Gonzalez
City Attorney Jose Smith
City Clerk Robert E. Parcher

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ATTENTION ALL LOBBYISTS

Chapter 2, Article VII, Division 3 of the City Code of Miami Beach entitled "Lobbyists" requires the registration of all lobbyists with the City Clerk prior to engaging in any lobbying activity with the City Commission, any City Board or Committee, or any personnel as defined in the subject Code sections. Copies of the City Code sections on lobbyists laws are available in the City Clerk's office. Questions regarding the provisions of the Ordinance should be directed to the Office of the City Attorney.

SUPPLEMENTAL AGENDA

C7 - Resolutions

- C7B A Resolution Authorizing The City Manager Or His Designee To Submit The Following Grant Applications: 1) Retroactively, To The U.S. Department Of Homeland Security, Assistance To Firefighters Grant Program For Funding, In An Amount Not To Exceed \$137,000, To Retrofit City Fire Facilities; And, 2) South Florida Water Management District, Alternative Water Supply Grant Program For Funding, In An Amount Not To Exceed \$400,000 For An Irrigation System For Normandy Shores Golf Course; Further Appropriating The Grants And Matching Funds, If Approved And Accepted By The City; And Authorizing The Execution Of All Necessary Documents Related To These Applications..

(Grants Management)
(Resolution)

R7 - Resolutions

- R7A A Resolution To Consider At A Public Hearing, An After-The Fact Revocable Permit Request By AB Green Raleigh LLC, Owner Of The Raleigh Hotel Located At 1775 Collins Avenue, To Retain Portions Of A Stair, Columns, Landscaping And A Masonry Fence Wall In The Adjacent Eighteenth Street City Right-Of-Way.

(Public Works)
(Memorandum)

- R7E A Resolution Approving The Purchase Of Flood Insurance, All Risk Property Insurance (Including Windstorm) And Boiler/Machinery Insurance For City Buildings And Contents (Including New Construction), For A One-Year Period As Proposed By Arthur J. Gallagher & Co., The City's Broker Of Record.

(Human Resources & Risk Management)
(Additional Information & Resolution)

- R7H A Resolution Ratifying Emergency Expenditures To Ashbritt, Inc. For Disaster Recovery Services For Hurricane Katrina, In The Amount Of \$1,264,258.32.

(Procurement)
(Resolution)

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO SUBMIT THE FOLLOWING GRANT APPLICATIONS: 1) RETROACTIVELY, TO THE U.S. DEPARTMENT OF HOMELAND SECURITY, ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM FOR FUNDING, IN AN AMOUNT NOT TO EXCEED \$137,000, TO RETROFIT CITY FIRE FACILITIES; AND, 2) SOUTH FLORIDA WATER MANAGEMENT DISTRICT, ALTERNATIVE WATER SUPPLY GRANT PROGRAM FOR FUNDING, IN AN AMOUNT NOT TO EXCEED \$400,000 FOR AN IRRIGATION SYSTEM FOR NORMANDY SHORES GOLF COURSE; FURTHER APPROPRIATING THE GRANTS AND MATCHING FUNDS, IF APPROVED AND ACCEPTED BY THE CITY; AND AUTHORIZING THE EXECUTION OF ALL NECESSARY DOCUMENTS RELATED TO THESE APPLICATIONS.

WHEREAS, the Assistance to Firefighters Grant Program is administered by the Department of Homeland Security's Office of Grants and Training in cooperation with the U.S. Fire Administration, in order to increase the effectiveness of firefighting and emergency response operations; and

WHEREAS, the current program provides funding for fire departments to acquire equipment; and

WHEREAS, the Administration has submitted a grant application for funding to acquire vehicle exhaust extraction systems for Fire Stations Numbers 1 and 3, and the repair shop and training facility; and

WHEREAS, this grant requires a 20% match; the City has matching funds available in the Fire Department budget to match this grant; and

WHEREAS, the administration hereby seeks retroactive approval to submit a grant application to the U.S. Department of Homeland Security, Office of Grants and Training, in cooperation with the U.S. Fire Administration, in an amount not to exceed \$137,000, to retrofit the fore stated City fire facilities; and

Agenda Item C7B
Date 5-10-06

WHEREAS, during the 2005 State Legislative Session, a bill creating the Water Protection and Sustainability Program, or SB 444, was enacted, providing significant State funding for alternative water supply projects which are identified in the Water Management Districts' Regional Water Supply Plans; and

WHEREAS, the City's Normandy Shores Golf Course Renovation Project includes an irrigation element, which will re-use brackish water, saving a significant amount of fresh treated water each year and therefore, the irrigation portion of this project, is eligible for funding; and

WHEREAS, the City proposes submitting an application for funding, in an amount not to exceed \$400,000 for this project; and

WHEREAS, the grant requires a 60% match, and the City has matching funds available in Gulf Breeze Loan funds dedicated to this project and available to match this grant; and

WHEREAS, this grant supports the Key Intended Outcome: Maintain Miami Beach Public Areas & Rights of Way Especially in Business Districts; and

WHEREAS, approval is hereby requested to submit a grant application to the South Florida Water Management District, Alternative Water Supply Grant Program, for funding, in an amount not to exceed \$400,000, for an irrigation system for Normandy Shores Golf Course; and

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA that the Mayor and City Commission hereby authorize the City Manager or his designee to submit the following grant applications: 1) retroactively, to the U.S. Department of Homeland Security, Assistance to Firefighters Grant Program, for "fire grant" funding, in an amount not to exceed \$137,000, for funding to retrofit City fire facilities; and, 2) South Florida Water Management District, for the Alternative Water Supply Grant Program for funding, in an amount not to exceed \$400,000, for an irrigation system for the Normandy Shores Golf Course; further appropriating the grants and matching funds, if approved and accepted by the City; and authorizing the execution of all necessary documents related to these applications.

PASSED AND ADOPTED THIS _____ DAY OF _____, 2006


MAYOR

ATTEST:

CITY CLERK

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**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**



City Attorney 5/18/06
Date

Condensed Title:

A Resolution to consider at a Public Hearing an after-the-fact revocable permit request by AB Green Raleigh, LLC, and owner of the Raleigh Hotel located at 1775 Collins Avenue, to retain portions of a stair, columns, landscaping and a masonry fence wall in the adjacent Eighteenth Street City right-of-way.

Key Intended Outcome Supported:

Well Improved Infrastructure

Issue:

Shall a revocable permit be granted to the Raleigh Hotel for encroachments within the right-of-way?

Item Summary/Recommendation:

The Raleigh Hotel, located at 1775 Collins Avenue, has several encroachments within the 18th Street right-of-way consisting of the bottom 3 steps of the side entrance stairway, columns, landscaping, a masonry fence wall, a trash enclosure, walls and an underground storage vault.

To complete the construction of the 18th Street improvements, the City required that existing obstructions be cleared from the right-of-way on the south side of 18th Street. AB Green Raleigh, LLC, the owner of the Raleigh Hotel has agreed to remove the trash enclosure and underground storage vaults. The Raleigh Hotel has requested a revocable permit for all other encroachments.

On March 11, 2006 the Mayor and City Commission adopted Resolution # 2006-26143 setting a public hearing on April 11, 2006 to review the Raleigh Hotel's request for an after-the-fact revocable permit.

The City's Planning and Public Works Departments reviewed the after-the-fact revocable permit request based on criteria set forth in Section 82-94 of the City Code.

The Administration and applicant recommend that the public hearing be opened and continued to the June 7, 2006 City Commission meeting.

Advisory Board Recommendation:

N/A

Financial Information:

Source of Funds:	Amount	Account	Approved
1			
2			
3			
4			
Total			

OBPI

Financial Impact Summary:

City Clerk's Office Legislative Tracking:

Robert Halfhill, Public Works 6833

Sign-Offs:

Department Director	Assistant City Manager	City Manager
<i>[Signature]</i> FHB	RCM	<i>[Signature]</i> JMG

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MIAMI BEACH

AGENDA ITEM

R7A

DATE

5-10-06



MIAMI BEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMISSION MEMORANDUM

TO: Mayor David Dermer and Members of the City Commission

FROM: Jorge M. Gonzalez, City Manager

DATE: May 10, 2006

SUBJECT: **A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, TO CONSIDER AT A PUBLIC HEARING, AN AFTER-THE-FACT REVOCABLE PERMIT REQUEST BY AB GREEN RALEIGH LLC, OWNER OF THE RALEIGH HOTEL LOCATED AT 1775 COLLINS AVENUE, TO RETAIN PORTIONS OF A STAIR, COLUMNS, LANDSCAPING AND A MASONRY FENCE WALL IN THE ADJACENT EIGHTEENTH STREET CITY RIGHT-OF-WAY.**

ADMINISTRATION RECOMMENDATION

Open and continue the public hearing to June 7, 2006.

BACKGROUND

The Raleigh Hotel, located at 1775 Collins Avenue, designed by Miami Beach architect Lawrence Murray Dixon, was built in 1940. With its colored keystone framed entrance, central tower element and sweeping curved corner feature, the Raleigh is one of the finest examples of the Streamline Modern architectural style built in Miami Beach and is designated a contributing building in the City of Miami Beach Historic Properties Database. It is located in the Ocean Drive Collins Avenue Local Historic District and is in the National Register of Historic Districts.

The colored keystone used in the main entrance was also used to frame the smaller north entrance to the hotel, where a single run of stairs, as evidenced from the original architectural detail of the steps, originally led to the public sidewalk.

When the City recently undertook the beautification and streetscape improvements of Eighteenth Street, east of Collins Avenue, encroachments resulting from the adjacent Raleigh Hotel into the City right-of-way obstructed the new proposed sidewalk.

Some of these encroachments were added features which did not belong to the original structure. The encroachments within the 18th Street right-of-way as identified through a site plan based on a Certified Survey (see Exhibit A) consist of:

- E-1 The west end of the north privacy wall surrounding the pool deck which angles into the right of way;

- E-2 A trash enclosure with knee walls that project into the right of way and gates that swing into the direction of pedestrian traffic;
- E-3 The top slab of an existing underground storage vault which extends underground into the right-of-way;
- E-4 A grease trap adjacent to the west wall of the trash enclosure;
- E-5 Landscaping between the trash enclosure and the Hotel's north entrance;
- E-6 The landing and last bottom step leading to the hotel's north entrance;
- E-7 Landscaping between the Hotel's north entrance and the north exit driveway;
- E-8 The columns and landscaping framing the north exit driveway of the hotel.

To complete the 18th Street streetscape project, the City requested that AB Green Raleigh LLC, owner of the Raleigh Hotel, remove and/or minimize these encroachments.

In recent discussions, the City Administration provided the owner of the Raleigh an option to apply for an after-the-fact revocable permit to retain those encroachments that retain a historic value to the City, while removing all other alterations of no historic significance, which also have constituted encroachments that materially affect the public right-of-way.

In a letter dated January 31, 2006, requesting a Revocable Permit to Retain Encroachments within the right of way (see Exhibit B), the applicant requested to retain the following encroachments arguing that *"some may be original features of the property"*:

- A. *"The west end of the north privacy wall surrounding the pool deck..."* (see (E1) above)
- B. *"The bottom three stairs of the flight leading up to the hotel's historic and important north entrance"* (See (E6) above, which defines only the landing and last bottom step leading to the hotel's north entrance as encroachments per certified survey. The third step is within the applicant's property)
- C. *"The columns and landscaping framing the north driveway exit"* (see (E8) above)

The Raleigh Hotel filed an after-the-fact revocable permit application with the City on February 10, 2006, and on March 11, 2006 the Mayor and City Commission adopted Resolution # 2006-26143 setting a public hearing on April 11, 2006 to review the request for this after-the-fact revocable permit. The public hearing was opened and continued to the May 10, 2006 meeting.

ANALYSIS

Based on discussions between the applicant and the Administration, the revocable permit analysis can not be completed until additional research is finalized.

RECOMMENDATION

The Administration recommends opening and continuing the public hearing to June 7, 2006.

Attachments

JMG/RM/FHB/RH/FAV

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WZ

REVOCABLE PERMIT AREAS

DETAIL A

EST. BY: A LIVING WITH ROW
TO BE MOVED TO NEAREST ENCLOSURE

see Detail B above



74-914



Writer's Direct Dial Number: (305) 376-6062
Writer's E-Mail Address: nkasdin@gunster.com

January 31, 2006

Honorable David Dermer, Mayor, and Members of the City Commission
City of Miami Beach
1700 Convention Center Drive
Miami Beach, FL 33139

**Re: 1775 Collins Ave - Raleigh Hotel - Request for Revocable Permit to Retain
Encroachments into Right-of-Way**

Dear Mayor Dermer and Commissioners,

I represent the Raleigh Hotel and I am writing to request that you approve my client's request for a revocable permit. The permit would allow the Raleigh to retain several small encroachments into the south side of the 18th Street right-of-way.

The encroachments have existed for many years – some may be original features of the property – and include the following: 1) the west end of the north privacy wall surrounding the pool deck, which angles out slightly into the right-of-way, 2) the bottom three stairs of the flight leading up to the hotel's historic and important north entrance, and 3) the columns and landscaping framing the north driveway exit.

The driveway columns are clearly historic features of the site and would require a certificate of appropriateness to remove. Architectural evidence suggests that the existing configuration of stairs is also original and we would prefer not to demolish and redesign this historic and important entrance. None of these features – wall, stairs, columns, or landscaping – encroaches more than approximately four feet (4').

A revocable permit would allow us to retain the historic and attractive north façade of the hotel with as little demolition as possible. We are currently working with staff to redesign the Raleigh's encroaching and non-historic trash room, which will complete and unify the architecture of this façade. We respectfully request that you grant the requested permit.

Best regards,

Neisen O. Kasdin

cc: Jorge Gonzalez, City Manager
Robert Van Eerde, General Manager, Raleigh Hotel



MIAMIBEACH

City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

COMMISSION MEMORANDUM

TO: Mayor David Dermer and Members of the City Commission

FROM: Jorge M. Gonzalez, City Manager

DATE: May 10, 2006

SUBJECT: **SUPPLEMENTAL TO A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING THE PURCHASE OF FLOOD INSURANCE, ALL RISK PROPERTY INSURANCE (INCLUDING WINDSTORM) AND BOILER/MACHINERY INSURANCE FOR CITY BUILDINGS AND CONTENTS.**

The Administration has reviewed with Arthur J. Gallagher and Co., the City's Broker who has advised that the premium cost for the primary layer of All Risk Property Insurance (including \$10,000,000 in Named Windstorm Sublimit) will be approximately \$1,525,000.00. Gallagher will attempt to place additional insurance with remaining funds available from the Budget.

Agenda Item B7E
Date 5-10-06

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, APPROVING THE PURCHASE OF FLOOD INSURANCE, ALL RISK PROPERTY INSURANCE (INCLUDING WINDSTORM), AND BOILER/MACHINERY INSURANCE FOR CITY BUILDINGS AND CONTENTS (INCLUDING NEW CONSTRUCTION), FOR A ONE-YEAR PERIOD AS PROPOSED BY ARTHUR J. GALLAGHER & CO., THE CITY'S BROKER OF RECORD.

WHEREAS, as proposed by Arthur J. Gallagher and Co., the City's broker of record, the Administration has recommended the purchase of Flood Insurance with the National Flood Insurance Program; All Risk property Insurance (including Windstorm) with Lexington Insurance Company as the primary layer; Boiler/Machinery Insurance with Travelers Property Casualty Company of America; and

WHEREAS, funding is available from the Self Insurance Fund Number 540.1792.000378.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby approve the purchase of Flood Insurance, All Risk Property Insurance (including a Windstorm), and Boiler/Machinery Insurance for all City-owned buildings and contents (including new construction), for a one-year period, as proposed by Arthur J. Gallagher & Co., the City's broker of record.

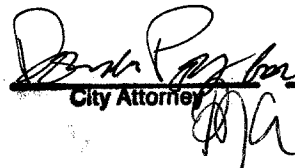
PASSED AND ADOPTED this ____ day of _____, 2006.

Mayor

ATTEST:

City Clerk

**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**

 5/18/06

City Attorney Date

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, RATIFYING EMERGENCY EXPENDITURES TO ASHBRIIT, INC. FOR DISASTER RECOVERY SERVICES FOR HURRICANE KATRINA, IN THE AMOUNT OF \$1,264,258.32.

WHEREAS, pursuant to Section 2-396 of the Miami Beach Code entitled, "Emergency Purchases", the City Manager, in case of an apparent emergency requiring immediate purchase of supplies or contractual services, shall be empowered to authorize the Procurement Director to secure by open market procedure at the lowest obtainable price, any supplies or contractual services exceeding \$25,000; and

WHEREAS, the City Manager or his designee has the authority to act in the case of an emergency that might affect the health, safety and welfare of the City; and

WHEREAS, as part of emergency recovery efforts due to Hurricane Katrina, the City acquired supplies and services, which procurement was essential to recovery efforts that vitally affected the life, health, and welfare of the City's visitors and residents; and

WHEREAS, the Federal Emergency Management Agency (FEMA) provides public assistance funds for emergency debris clearance and removal and disposal operations; and

WHEREAS, the City has an agreement, dated April 6, 2004, for disaster recovery services with AshBritt, Inc. (AshBritt); and

WHEREAS, during post recovery after Hurricane Katrina, AshBritt's responsibilities included emergency road clearance, debris removal from public rights-of-way, removal of hazardous stumps, leaning trees/limbs, temporary debris staging areas and reduction sites, debris disposal, hazardous waste abatement, and sand screenings; and

WHEREAS, Ashbritt's services for Hurricane Katrina amount to \$1,264,258.32, for 42,392.7 cubic yards of debris removed from the City's right of ways and, as of May 3, 2006, the City has paid AshBritt \$1,202,013.97; and

WHEREAS, FEMA has reimbursed the City \$973,675.75 (as of May 3, 2006) and is expected to reimburse an additional \$45,503.06; there is \$100,692.54 that will be reimbursed by the Federal Highway Administration (FHWA) for debris removed on State designated roads; totaling the anticipated reimbursement of \$1,119,871.35, leaving the City responsible for \$144,386.97; and

WHEREAS, the City Manager approved the emergency expenditures for Hurricane Katrina, totaling \$1,264,258.32.

Agenda Item R7H
Date 5-10-06

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby ratify emergency expenditures to Ashbritt, Inc. for disaster recovery services for Hurricane Katrina, in the amount of \$1,264,258.32.

PASSED AND ADOPTED this _____ day of _____, 2006.

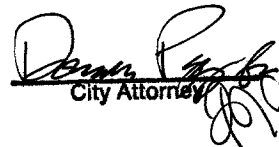
ATTEST:

CITY CLERK

MAYOR

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**APPROVED AS TO
FORM & LANGUAGE
& FOR EXECUTION**

 5/18/06
City Attorney Date